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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,102	07/20/2000	Purushottam Yeluripati	BEL-003	2746

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_/ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _17 June 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,24-11,13-15,18 and 19_ is/are rejected.

7)☒ Claim(s) _3,12,16 and 17_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-19 are pending this application.

Claim Objections

2.   Claims 2-6,8 and 9 are objected to because of the following informalities:

Claims 2-6,8 and 9 appear to include typographical error. Specifically "," appears to

have been omitted in the claim language.

For the purpose of this office action the Examiner would insert "," before

"wherein' on line 1 of above listed claims.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claim 17 is rejected under 35 U.S.C. 112, first paragraph, because the

specification, does not reasonably provide enablement for **"if required system**

resources are not available, instructions to direct the computer processor to an

existing instance of a functional bean of the particular type requested". The

specification does not enable any person skilled in the art to which it pertains, or with

which it is most nearly connected, to use the invention commensurate in scope with

these claims.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   **Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

The following terms lack antecedent basis:

i.   "said computing device" on line 13 of claim 1.

For the purpose of this office action the Examiner would change the term "said computing device" to "said at least one computer device".

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 1,2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,6,29,128 B1 to Glass in view of U.S. Pat. No.**

**6,510,550 to Hightower et al. and further in view of (On performance of Enterprise
JavaBeans pages 1-11) to Pospisil et al.**

9.   As to claim 1, Glass teaches a computer system for supporting communication

between a plurality of users and at least one application server comprising: an

application service program for receiving a client request from a client program

executing on a computer associated with at least one of the users, a client interface

program for communicating messages between said client program and said application

service program, a service manager bean coupled to said application service program

for creating and returning to said client program a handle to a functional bean

appropriate to the client request, wherein the functional bean is configured to model a

business function (figures 9/10 Col. 15 Ln. 30 - 67, Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 -

Page 3 60).

10.   Glass is silent with respect to a data store interface for coupling said application

service program to a data storage system and memory coupled to said application

service program said memory for queuing customer requests and to service the queued

customer requests in accordance with the code contained in the functional bean and for

interfacing with .the data storage system via the data store interface.

11.   Hightower teaches memory coupled to an application service program, said

memory for queuing customer requests and to service the queued customer Page 3

requests and for interfacing with the data storage system (Col. 8 Ln. 27 - 45).

12.   It would have been obvious to one of ordinary skill in the art at the invention was

made to combine the teachings of Hightower and Glass because the teaching of

Hightower would improve the system of Glass by allowing client continuous use of local

application (Col. 8 Ln. 42 - 45).

13.   Pospisil teaches to a data store interface for coupling said application service

program to a data storage system (JDBC API page 3 lines 36 - 45).

14.   It would have been obvious to one of ordinary skill in the art at the invention was

made to combine the teachings of Pospisil and Glass because the teaching of Pospisil

would improve the system of Glass by providing database updating (page 3 lines 36 -

45).

15.   As to claim 2, Glass teaches the computer system of claim 1, wherein the

functional bean is accessible by a program running on the client via an EIBobject

(figures 9/10 Col. 15 Ln. 30 - 67, Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 - 60).

16.   As to claim 4, Glass teaches the computer system of claim 1, wherein the

functional bean is configured to provide transactional persistence to a client transaction

(Col. 16 Ln. 1 - 15).

17.   As to claim 5, Glass teaches the computer system of claim 1, wherein the client

is web based (figure 5 Col. 12 Ln. 1 - 20).

18.   As to claim 6, Glass teaches the computer system of claim 1, wherein the client

is an application, an applet, a servlet or a JSP that can communicate with an ElBobject's

remote interface using RMI over TCP/IP or IIOP (Col. 16 Ln. 57 - 67).

19.   Claims 7-11,13-15,18 and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Pat. No. 6,6,29,128 B1 to Glass in view of (On performance

of Enterprise JavaBeans pages 1-11) to Pospisil t al.

20.   As to claim 7, Glass teaches a computer system comprising a plurality of sets of

functional beans each particular business method, the computer system comprising: a

microprocessor/a memory device coupled to the microprocessor (inherent in figures

1/5), a service manager program coupled to the memory device and configured to

receive a number of requests from at least one of a plurality of types of transactions

from a plurality of clients (figure 9/10 Col. 15 Ln. 30 - 67, Col. 16 Ln. 1 - 15, Col. 15 Ln.

44 - 60), the service manager program configured to obtain a handle to an instance of a

functional bean based on a type of transaction requested by a client and the service

manager program configured to return the handle to the client, wherein the client is

configured to use the handle to interact with the functional bean to execute a business

method, wherein the functional bean is configured to model a business function (figures

9/10 Col. 15 Ln. 30 - 67, Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 - 60). .

21.   Glass is silent with respect to at least one of a plurality of resources, a load-sharing program coupled to the service manager program and configured to create instances of functional beans based on a criterion.

22.   Pospisil teaches at least one of a plurality of resources, a load-sharing program coupled to the service manager program and configured to create instances of functional beans based on a criterion (scalability page 7 lines 20 - 30).

23.   It would have been obvious to one of ordinary skill in the art at the invention was made to combine the teachings of Pospisil and Glass because the teaching of Pospisil would improve the system of Glass by optimizing resource usage (page 7 lines 20 - 30).

24.   As to claims 8-10, see the rejection of claim 7.

25.   As to claim 11, Glass teaches the code of claim 10, further comprising instructions to receive the first request and the second request from the client via a computer network (figures 1/5/7/8/9).

26.   As to claim 13, Glass teaches the code of claim 10, further comprising instructions that allow a functional bean to instantiate a second functional bean of a second type in order to execute the business logic contained in the second functional bean instance (Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 - 50).

27.   As to claim 14, Pospisil teaches the code of claim 10, further comprising:

instructions that allow a client to create a session with an instance of a session

Enterprise JavaBean and instructions that allow the session Enterprise JavaBean to

provide access to invoke the business methods contained in the functional bean (page

2 lines 20 - 24, page 3 lines 1 - 2).

28.   As to claim 15, Glass teaches the code of claim 10, further comprising:

instructions to instantiate an entity Enterprise JavaBeans said entity Enterprise

JavaBeans containing logic that maps a particular entity, and methods to performing

actions on the particular entity; and instructions to invoke the methods contained in the

entity Enterprise JavaBean from the business methods contained in the functional bean

(Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 - 60).

29.   As to claim 18, Glass teaches a method comprising the steps of: creating a

functional bean from an object-oriented middleware component, wherein the functional

bean is configured to model a business function figures 9/10 Col. 15 Ln. 30 - 67, Col. 16

Ln. 1 - 15, Col. 18 Ln. 44 - 60), deriving a class with no data elements from the object-

oriented middleware component and adding a set of computer-executable instructions

to the derived class (Col. 18 Ln. 44 - 60).

30.   Glass is silent with respect to the set of computer-executable instructions that is

configured to provide transactional access to a pool of scarce system resources

allowing client requests to be queued on EJB instances taken from the pool.

31.   Pospisil teaches the set of computer-executable instructions that is configured to provide transactional access to a pool of scarce system resources allowing client requests to be queued on EJB instances taken from the pool (scalability page 7 lines 20 - 30).

32.   It would have been obvious to one of ordinary skill in the art at the invention was made to combine the teachings of Pospisil and Glass because the teaching of Pospisil would improve the system of Glass by optimizing resource usage (page 7 lines 20 - 30).

33.   As to claim 19, Glass teaches the method of claim 18, wherein the object-oriented middleware component is an entity Enterprise JavaBean (figures 9/10 Col. 15 Ln. 30 - 67, Col. 16 Ln. 1 - 15, Col. 18 Ln. 44 - 60).

Allowable Subject Matter

34.   Claims 3,12,16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

35.   Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Charles E. Anya whose telephone number is (571) 272-
3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
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Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2194

cea.

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SUPERVISORY PATENT EXAMINER
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